

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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89908, INC. d/b/a AMP RESEARCH
a California corporation,

Plaintiff,

vs.

E-Z LOAD GATE, INC., a Florida
corporation, E-Z LOAD, LLC, a Florida
limited liability company; E-Z LOAD
ENTERPRISES, LLC, a Florida limited
liability company; FLOYD A. JACOBS;
BRADLEY E. ORTHMANN; and
STEPHEN D. EARLE,

Defendants.

2:09-CV-02165-PMP-PAL

ORDER

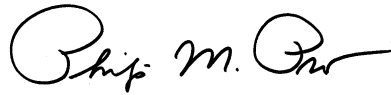
Before the Court for consideration is Plaintiff's Motion for Summary Judgment of Infringement (Doc. #50). Having considered Plaintiff's fully briefed motion and the arguments of counsel presented at the hearing conducted December 21, 2010, the Court finds that Plaintiff's motion should be granted.

Specifically, the Court finds that there is no genuine issue of any material fact in dispute that the sale and/or offer for sale by Defendants E-Z Load Gate, Inc., E-Z Load, LLC, E-Z Load Enterprises, LLC, Lloyd A. Jacobs, Bradley E. Orthmann, and Stephen D. Earle of the EZ-8555 Ruff N' Tuff HD Bed Extender infringes Claim 16 of U.S. Patent No. 7,063,366.

1 The Court further finds that Defendant E-Z Load has failed to demonstrate
2 a genuine issue of material fact exists with respect to its defense of estoppel.

3 **IT IS THEREFORE ORDERED** that Plaintiff 89908, Inc. d/b/a/AMP
4 Research's Motion for Summary Judgment of Infringement (Doc. #50) is
5 **GRANTED.**

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7 DATED: December 28, 2010.

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PHILIP M. PRO
United States District Judge